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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91193133
Party	Plaintiff Piggyback Interactive Limited
Correspondence Address	Mark H. Tidman Baker & Hostetler LLP Washington Square, Suite 1100, 1050 Connecticut Avenue, N.W. Washington, DC 20036 UNITED STATES trademarks@bakerlaw.com
Submission	Answer to Counterclaim
Filer's Name	Mark H. Tidman
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Date	03/11/2010
Attachments	PiggybackOppAnswertoCounterclaim.pdf (3 pages)(80164 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE
TRADEMARK TRIAL AND APPEAL BOARD

PIGGYBACK INTERACTIVE LIMITED)	
)	
)	
Opposer,)	Opposition No. 91193133
v.)	Application Serial No.: 77/525,392
GRAEME C. REVELL AND ASHLEY)	Mark: PIGGEEBACK
M. REVELL,)	
)	
Applicant.)	
)	

Atty Dkt. No: 032943.000011

OPPOSER'S ANSWER TO COUNTERCLAIM

Piggyback Interactive Limited ("Piggyback"), through undersigned counsel, hereby submits its Answer to Applicant's counterclaim.

1. Admitted.
2. Piggyback had a *bona fide* intent to use its PIGGYBACK mark in U.S.

Commerce in connection with the majority of the goods and services identified in its Application Serial No. 78/427,793 at the time of filing. A minority of goods and services originally set forth in Piggyback's application were incorrectly included due to an honest misunderstanding by a foreign applicant without any willful intent to deceive, were immaterial to the Examining Attorney's decision to approve Piggyback's application, and were subsequently removed from Piggyback's registration. Piggyback denies that it obtained its registration fraudulently.

3. Paragraph 3 of the counterclaim contains a legal conclusion to which Piggyback need not plead.

4. Piggyback admits that it filed its application under 15 U.S.C. §1051(b) on June 1, 2004 and that the registration issued. Piggyback denies the remaining allegations of Paragraph 4.

5. Piggyback admits the procedural allegations set forth in Paragraph 5. Piggyback denies any insinuation that it maintained any goods or services in the application and proceeded under Section 44(e) of the Trademark Act with any willful intent to deceive.

6. Denied.

7. Denied.

8. Paragraph 8 constitutes a legal conclusion to which Piggyback need not plead.

9. Admitted.

10. Admitted.

11. Denied.

12. Denied.

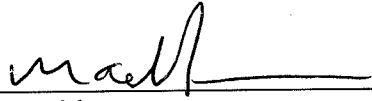
13. Denied.

14. The legal effect of Piggyback's registration constitutes a legal conclusion to which Piggyback need not plead. Piggyback denies the remaining allegations of Paragraph 14.

Respectfully Submitted,

PIGGYBACK INTERACTIVE LTD

Date March 11, 2010


By: 
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CERTIFICATE OF SERVICE

I certify that on this 11th day of March, 2010, a true copy of the foregoing

Opposer's Answer to Counterclaim was served via First Class Mail to the following
representative:

Rod S. Berman, Esq.
JEFFER, MANGELS, BUTLER & MARMARO LLP
1900 Avenue of the Stars, Seventh Floor
Los Angeles, CA 90067

By: 
Mark H. Tidman